

**Illinois Department of Revenue
Regulations**

Title 86 Part 100 Section 100.2210 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group (IITA Section 202) -- Definitions

TITLE 86: REVENUE

**PART 100
INCOME TAX**

Section 100.2210 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group (IITA Section 202) -- Definitions

Federal taxable income for Illinois income tax purposes and Federal NOL for Illinois income tax purposes mean:

- a) in the case of a corporation that files its own (unconsolidated) federal income tax return for the year, the amount of taxable income or NOL reflected on such return or if altered by IRS audit or amended return, as finally determined for federal income tax purposes within the meaning of IITA Section 506(b) increased in any case by the amount of any net operating loss deduction (for carryback or carryforward of net operating losses from other years) actually reflected by the corporation on that federal return.
- b) in the case of a corporation that is a member of an affiliated group filing a consolidated federal income tax return for the year, the amount of taxable income or NOL which such corporation would have had it filed a separate return for federal income tax purposes for the taxable year and each preceding taxable year for which it was a member of an affiliated group, such calculation being made as if the elections of 26 USC 243(b)(2) and 172(b)(3)(C) had been in effect for all such years, the amount calculated hereunder being increased in any case by the amount of any net operating loss deduction (for carryback or carryforward of any net operating losses from other years) to which the corporation would otherwise be entitled under this subsection.
- c) in the case of the corporation that is not required to file a federal income tax return for the year, the equivalent federal taxable income which it computes under IITA Section 203(e); increased in any case by the amount of any net operating loss deduction (for carryback or carryforward of net operating losses from other years) to which the corporation would otherwise be entitled under that section.

(Source: Amended at 26 Ill. Reg. 13237, effective August 23, 2002)